

Comptroller of the Currency, Treasury

§ 8.2

§ 8.2 Semiannual assessment.

(a) Each national bank and each District of Columbia bank shall pay to the Comptroller of the Currency a semiannual assessment fee, due by January

31 and July 31 of each year, for the six-month period beginning 30 days before each payment date. The amount of the semiannual assessment paid by each bank is computed as follows:

If the banks' total assets (consolidated domestic and foreign subsidiaries) are:		The semiannual assessment is:		
Over—	But not over—	This amount—	Plus	Of excess over—
Column A	Column B	Base amount	Marginal rates	
Million	Million	Column C	Column D	Column E
\$0	\$2	\$0	Y1	\$0
2	20	X1	Y2	2
20	100	X2	Y3	20
100	200	X3	Y4	100
200	1,000	X4	Y5	200
1,000	2,000	X5	Y6	1,000
2,000	6,000	X6	Y7	2,000
6,000	20,000	X7	Y8	6,000
20,000	40,000	X8	Y9	20,000
40,000		X9	Y10	40,000

(1) Every national bank falls into one of the ten asset-size brackets denoted by Columns A and B. A bank's semiannual assessment is composed of two parts. The first part is the calculation of a base amount of the assessment, which is computed on the assets of the bank up to the lower endpoint (Column A) of the bracket in which it falls. This base amount of the assessment is calculated by the OCC in Column C.

(2) The second part is the calculation by the bank of assessments due on the remaining assets of the bank in excess of Column E. The excess is assessed at the marginal rate shown in Column D.

(3) The total semiannual assessment is the amount in Column C, plus the amount of the bank's assets in excess of Column E times the marginal rate in Column D: Assessments = C + [(Assets—E) x D].

(4) Each year, the OCC may index the marginal rates in Column D to adjust for the percent change in the level of prices, as measured by changes in the Gross Domestic Product Implicit Price Deflator (GDP-IPD) for each June-to-June period. The OCC may at its discretion adjust marginal rates by amounts less than the percentage change in GDP-IPD. The OCC will also adjust the amounts in Column C to reflect any change made to the marginal rate.

(5) The specific marginal rates and complete assessment schedule will be published in the "Notice of Comptroller of the Currency Fees", provided for at § 8.8 of this part. Each semiannual assessment is based upon the total assets shown in the bank's most recent "Consolidated Report of Condition (Including Domestic and Foreign Subsidiaries)" (Call Report) preceding the payment date. The assessment shall be computed in the manner and on the form provided by the Comptroller of the Currency. Each bank subject to the jurisdiction of the Comptroller of the Currency on the date of the second or fourth quarterly Call Report required by the Office under 12 U.S.C. 161 is subject to the full assessment for the next six-month period.

(6)(i) Notwithstanding any other provision of this part, the OCC shall charge each non-lead bank a semiannual assessment that is less than the amount of the semiannual assessment that the bank otherwise would be required to pay under the Notice of Comptroller of the Currency Fees described in § 8.8. The OCC will specify the percentage of the reduction of assessments for non-lead banks in the Notice of Comptroller of the Currency Fees.

(ii) For purposes of this paragraph (a)(6):

(A) *Non-lead bank* means a national bank that is not the lead bank in a bank holding company that controls two or more national banks;

(B) *Lead bank* means the largest national bank controlled by a bank holding company, based on a comparison of the total assets held by each national bank owned by that bank holding company as reported in each bank's Call Report filed for the quarter immediately preceding the payment of a semiannual assessment; and

(C) *Bank holding company* and *control* have the same meanings as these terms have in sections 2(a)(1) and 2(a)(2), respectively, of the Bank Holding Company Act of 1956 (12 U.S.C. 1841 (a)(1) and (a)(2)).

(b)(1) Each Federal branch and each Federal agency shall pay to the Comptroller of the Currency on or before January 31 and July 31 of each year a semiannual assessment fee for the six month period beginning thirty days before each payment date.

(2) The amount of the semiannual assessment paid by each Federal branch and Federal agency shall be computed at the same rate as provided in the Table in 12 CFR 8.2(a); however, only the total domestic assets of the Federal branch or Federal agency shall be subject to assessment.

(3) Each semiannual assessment of each Federal branch or Federal agency is based upon the total assets shown in the Report of Condition most recently preceding the payment date. The assessment shall be computed in the manner and on the form provided by the Comptroller of the Currency. Each Federal branch or Federal agency subject to the jurisdiction of the Comptroller of the Currency on the date of the second or fourth condition reports is subject to the full assessment for the next six month period.

[44 FR 20065, Apr. 4, 1979, as amended at 49 FR 26205, June 27, 1984; 49 FR 50602, Dec. 31, 1984; 53 FR 48627, Dec. 1, 1988; 55 FR 49842, Nov. 30, 1990; 57 FR 22416, May 28, 1992; 61 FR 64002, Dec. 2, 1996]

§ 8.6 Fees for fiduciary activities examinations, special examinations and investigations fees, examination of affiliates, examinations related to corporate activities.

(a) *Fees.* Pursuant to the authority contained in 12 U.S.C. 481 and 482, the Office of the Comptroller of the Currency assesses a fee for examining fiduciary activities of national and District of Columbia banks and related entities, for conducting special examinations and investigations of national and District of Columbia banks, for conducting examinations of affiliates of national and District of Columbia banks, and for conducting examinations and investigations made pursuant to 12 CFR Part 5, Rules, Policies, and Procedures for Corporate Activities.

(b) *Notice of Comptroller of the Currency Fees.* The OCC publishes the fee schedule for fiduciary activities, special examinations and investigations, examinations of affiliates and examinations related to corporate activities in the Notice of Comptroller of the Currency Fees described in § 8.8.

[59 FR 59642, Nov. 18, 1994]

§ 8.7 Payment of interest on delinquent assessments and examination and investigation fees.

(a) Each national bank, each district bank, each Federal branch, and each Federal agency shall pay to the Comptroller of the currency interest on its delinquent payments of semiannual assessments. In addition, each national bank and each entity with a trust department examined by the Comptroller of the Currency and each institution that is the subject of a special examination or investigation conducted by the Comptroller of the Currency shall pay to the Comptroller of the Currency interest on its delinquent payments of examination and investigation fees. Semiannual assessment payments will be considered delinquent payments of examination and investigation fees. Semiannual assessment payments will